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No new matter is being claimed. A clean copy of claims 7 and 8 is enclosed.

### REMARKS

The action has been made final. The Applicant submits that this is improper.

According to MPEP 706.07 (a), a second or subsequent action on the merits should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to have been claimed.

In the second Official Action mailed 10 October 2001 which was made final Stephenson (US Patent No. 5, 282,044), was cited against claims 6, 7 and 8 and was made of record for the first time in the prosecution of this application. A new ground of rejection was raised based on the citation of Stephenson.

In the amendments filed August 1, 2001, a new claim 6 was lodged in the following wording:

6. A camera system for outputting deblurred images, said system comprising:
  - a portable hand held camera device comprising an image sensor for sensing an image;
  - a velocity detection means for determining any motion of said image relative to an external environment and to produce a velocity output indicative thereof;
  - a processor means interconnected to said image sensor and said velocity detection means and adapted to process said sensor image utilizing the velocity output so as to de-blur said image and to output said de-blurred image and wherein said processor means is connected to an integral ink jet printer means internal to said portable hand held camera device for output of said de-blurred image on print media.

Claim 6 was a new claim but simply introduced a limitation compared with original claim 1 that the camera system comprised a portable hand held camera device wherein the processor

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means is connected to an integral ink jet printer means internal to said portable hand held camera device for output of said de-blurred image on print media.

This limitation should reasonably have been expected to have been claimed. It is clear from a reading of the present specification that the camera system was likely to be of this form, namely that it could include a portable hand held camera device in which there was an integral internal ink jet printer means for outputting images on print media. The Applicant refers to the priority document PO 7991 and to page 7 beginning with the description of the preferred and other embodiments to the end of the second paragraph on page 8.

According to MPEP 706.07 (a) if the amendment necessitated a new ground of rejection, then that rejection should be made final. The Applicant submits that the amendment did not necessitate the new ground of rejection. It is respectfully submitted that the camera system being claimed included a portable hand held camera device in which there was an integral internal ink jet printer means for printing out images on print media as this was the substance of the preferred embodiment. It would reasonably be expected that the examiner would cite patents that included the preferred embodiment(s) that is, a hand held camera device with an internal ink jet printer means. As referred to in *Hodosh v Block Drug Co. Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed Cir. 1986) the invention should be considered as a whole.

The combination selected by the Examiner in the first Office Action did not contemplate such a combination. It is thus respectfully submitted that the amendment did not necessitate the new ground of rejection. It is respectfully submitted that the final rejection was improper and that a further rejection should have been issued instead.

The combination of Misawa and Stephenson does not anticipate the invention. As further combinations of these two citations are made with Nohuoka and Galvin, the Applicant argues that traversing Misawa and Stephenson is sufficient to traverse items 5-7 of the Official Action.

Stephenson discloses a camera with a detachable ink jet printer to print images taken by the camera. The camera must have a camera display 18 (refer col.2) and the printer is coupled

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to the camera over the camera display 18 (refer col. 2, lines 39-53). The printer in being removable from the camera has several disadvantages not present in the instant invention in which the printer is inbuilt. This combined camera and printer arrangement has the disadvantage that it depends for reliability on the communication between camera and printer, requires that that communication be in a particular form to meet the limitations of the arrangement and appears to have no provision to replace the print media sheets 38 except by replacing the printer and associated electronics at the same time. Moreover, the printer is not always used, whereby an instant print of an image is not available and the utility of the arrangement requires co-ordinating the two separate components whereby loss, damage or misplacement of one makes the other not fully functional.

Misawa discloses a camera system for outputting de-blurred images which employs the combination of a mechanical and an electronic shake correction device. The mechanical device includes a mirror which is driven by an angular velocity sensor to correct for movement of an image. The de-blurring in the instant invention is achieved by a processor means receiving inputs from ( being interconnected to) the image sensor and the velocity detection means, which processor means is "adapted to process said sensor image utilizing the velocity output from said velocity detection means so as to de-blur said image" and "for output of said de-blurred image on print media". The claimed invention does not include a mechanical shake correction device nor, ipso facto, the combination of an electronic shake correction device and a mechanical shake correction device. In the present invention the image is deblurred under programme control (see page 3) whereby the complicated devices of Misawa with their inherent unreliability is avoided. Moreover, Misawa is concerned with a video camera which the Applicant understands to be specifically a motion picture camera. The instant invention clearly relates to a still image camera the printer of which would, the Applicant submits, be unsuitable or at least impracticable to record (print) motion pictures. This is self-evident from the use of the internal ink jet printer means. For either of these reasons Misawa does not anticipate the claimed invention but teaches away from the solution provided by the instant claimed invention. Misawa has disadvantages including complexity, problems of unreliability due to such complexity and lack of adaptation.

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The Applicant respectfully submits that the combination of Misawa and Stephenson does not anticipate the claimed invention and so would not be suggested to the person skilled in the art to be combined.

The Applicant respectfully submits that the combination of Misawa and Stephenson is improper. The combinations of Misawa and Stephenson with Nohuoka and Galvin is thereby also improper.

### CONCLUSION

In view of the foregoing it is respectfully contended that all claims now pending in the above identified Patent Application recite a novel and not obvious camera system which is patentably distinguishable over the prior art. Accordingly, withdrawal of the outstanding rejection and the allowance of all claims now pending are respectfully requested and earnestly solicited.

Very respectfully,

Applicant:



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CLEAN COPY OF CLAIMS 7 AND 8

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7. A camera system as claimed in claim 6 wherein said velocity detection means comprises an accelerometer.
  8. A camera system as claimed in claim 7 wherein said accelerometer comprises a micro-electro mechanical device.